

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<b>THE UNITED STATES</b>  <b>vs.</b>  <b>David R. Montgomery</b>	<b>For U. S.:</b>  Hubert H. Bryant Asst. U. S. Attorney   <b>For Defendant:</b> Jack Gordon Claremore, Okla. <i>PAIGER 681</i>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 10-1-69	Clerk	11-17-69	Montgomery	36 00-	
J.S. 3 mailed 12-1-69	Marshal	12-16-69	Montgomery	36 00-	
Violation Postal	Docket fee	1-20-70	Montgomery	36 00-	
Title 18		2-18-70	Montgomery	36 00-	
Sec. 1708 and 495		3-17-60	Montgomery	36 00-	
		4-20-70	Montgomery	48 00	
		1-11-72	U.S. Treas		228 00

DATE	PROCEEDINGS
9-4-69	Record vote of the grand jury, filed in open court
9-4-69	Indictment, filed in open court
9-4-69	Personal bond in the sum of \$1,000.00, filed. b
9-4-69	Order specifying methods and conditions of release, filed. b
9-23-69	Defendant present in person and represented. Defendant arraigned, reading waived, and defendant enters pleas of NOT GUILTY as to Cts. 1 and 2 of the Indictment, and case set for Jury Trial on Monday, 10-20-69 at 9:30 A.M. Defendant granted 10 days to file motions. (AEB-J)
10-17-69	Case is stricken from the Oct. 20, 1969, Jury Trial and is reset for Oct. 23, 1969 Jury Trial at 10:00 A.M. (AEB-J)
10-23-69	Defendant present in person and represented. Defendant withdraws plea of Not Guilty as to Cts. 1&2, and enters pleas of NOLO CONTENDERE as to Cts. 1&2. Government's objections to N/C overruled. Government's request to dismiss Ct. granted and COUNT ONE DISMISSED, and sentencing as to Ct. 2 passed to Tues. 11-4-69 at 10:00 A.M. Defendant released on own recognizance. (AEB-J)h
10-24-69	Return on subpoena to testify, filed. Two witnesses served. ds
	(over)

DATE	PROCEEDINGS
11-4-69	<p>Defendant present in person and represented.</p> <p>Judgment and Sentence- David R. Montgomery(24)</p> <p>Imposition of sentence in Ct. 2 suspended (Ct. 1 heretofore dismissed) and the defendant is placed on probation for a period of 1 year, from this date, pursuant to the Federal Youth Correction Act, T. 18, USCA 5010(a), and a condition of probation is that the defendant make restitution within a period of 6 months to the Court Clerk's office.(AEB-J)h</p>
11-4-69	Order of Probation filed and entered. (AEB-J)h
11-4-69	Two c.c.of above delivered to Prob. Office. h
8-28-70	Certificate of vacation of conviction, filed. (AEB-J)m
8-28-70	Order of discharge from probation, filed. (AEB-J)m

UNITED STATES COMMISSIONER  
Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Jack C. Silver Federal Building, Tulsa, Oklahoma  
(Name of commissioner) (Address)

COMMISSIONER'S  
DOCKET NO. 1 CASE NO. 53  
THE UNITED STATES  
vs.

David R. Montgomery

Complaint filed on April 11, 19 69, by William D. Berkshire  
Official title Special Agent Sec. Ser., charging violation of  
United States Code, Title 18, Section 495, on Mar. 5,  
19 67, at Claremore, Okla. in the  
division of the Northern district of Oklahoma  
as follows falsely made, forged & counterfeit a  
writing, that is the endorsement of the payee on a  
check, to wit: the words, Richard L. Johnson, on the  
back there of, for the purpose of obtaining from  
the U. S. in the amount of \$227.78.

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date April, 11, 1969 Warrant/Summons for David R. Montgomery  
(Name of defendant)  
to (name and title of officer) U.S. Marshal or any other duly authorized officer:  
Substance of return  
Date \_\_\_\_\_ Warrant/Summons for \_\_\_\_\_  
to (name and title of officer) \_\_\_\_\_  
Substance of return \_\_\_\_\_

FILED  
17/11/69  
APR 24 1969

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Apr. 11, 1969 Arrested by O'Neil L. Cobb  
(Name of arresting officer)  
Appearances { for United States Hubert Bryant U. S. Asst. Atty.  
(Name) (Address)  
for accused Jack E. Gordon 122 S. Missouri, Claremore, Okla.  
(Name) (Address)

Proceedings taken on April 11, 1969 the accused was present and represented by

(Here insert with dates, when appropriate, a serialtim account of essential steps taken at hearing such as "complaint prepared,"  
his Atty. Jack E. Gordon, and was advised of his rights and read the Complaint  
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"  
to him, and admitted he was the accused. Bond was set in the amount of \$1,000.  
if that is the fact; any adjournments taken, etc.  
o/r. Preliminary was set for April 18, 1969 at 10:00 A.M..

Outcome Preliminary was waived by Atty. for the accused on April 18, 1969.

Bail fixed 1,000.00, 19 69 Amount, \$ 0/R Bonded April 11, 19 69 by cash  
deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
transmitted to clerk of district court \_\_\_\_\_, 19 \_\_\_\_\_ [or] by surety  
(name) \_\_\_\_\_ Address \_\_\_\_\_  
(name) \_\_\_\_\_ Address \_\_\_\_\_, who  
justified by affidavit dated \_\_\_\_\_, 19 \_\_\_\_\_, [or] committed to  
on \_\_\_\_\_, 19 \_\_\_\_\_

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date\_\_\_\_\_Appearances for\_\_\_\_\_

{ United States (Name) \_\_\_\_\_  
(Address) \_\_\_\_\_  
Accused (Name) \_\_\_\_\_  
(Address) \_\_\_\_\_

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing\_\_\_\_\_names certified to United States Marshal for payment\_\_\_\_\_, 19\_\_\_\_  
Proceedings taken\_\_\_\_\_

**Preliminary Hearing waived, on April 18, 1969.**

Outcome\_\_\_\_\_

Bail fixed\_\_\_\_\_, 19\_\_\_\_ Amount, \$\_\_\_\_\_. Bonded\_\_\_\_\_, 19\_\_\_\_, by cash  
deposited by (name)\_\_\_\_\_ Address\_\_\_\_\_  
transmitted to clerk of district court\_\_\_\_\_, 19\_\_\_\_  
[or] by surety (names)\_\_\_\_\_ Address\_\_\_\_\_  
and\_\_\_\_\_ Address\_\_\_\_\_  
who justified by affidavit\_\_\_\_\_, 19\_\_\_\_. Committed to\_\_\_\_\_  
on\_\_\_\_\_, 19\_\_\_\_

Certified to be a correct transcript.

Made this 18 day of April, 19 69

Transmitted to Clerk of United States District Court for the Northern  
district of Oklahoma, April 18,, 19 69



United States Commissioner.